

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL WATSON, INDIVIDUALLY,
AND AS FATHER AND NEXT FRIEND
OF JOHN WATSON, PPA

Plaintiff

v.

ELECTROLUX PROFESSIONAL
OUTDOOR PRODUCTS, INC.

Defendant

CIVIL ACTION NO. 04-11782 DPW

**DEFENDANT'S ASSENTED-TO MOTION TO EXTEND DEADLINE FOR FILING AN
OPPOSITION TO PLAINTIFF'S MOTION FOR RECONSIDERATION**

With the assent of counsel for the plaintiff, the defendant in this action respectfully requests that, pursuant to Local Rule 7.1(B)(2), the Court allow the defendant an additional 14 days, until September 21, 2006, to file an opposition to plaintiff's Motion for Reconsideration of this Court's summary judgment order of August 4, 2006. As grounds for this motion, the defendant states:

1. The parties argued the defendant's Motion to Preclude Expert Testimony and for Summary Judgment on June 28, 2006, and this Court entered an order on August 4, 2006, granting the motion in part and denying it in part.
2. On August 15, 2006, the defendant moved for reconsideration of the order. On August 23, 2006, the plaintiff filed an opposition to the defendant's motion, together with his own motion for reconsideration.
3. The defendant's opposition to the plaintiff's Motion for Reconsideration would be due on September 7, 2006 in the absence of the extension sought by this motion.

4. Lead counsel for the defendant, David Barry, is currently out of the country on a previously scheduled vacation that commenced on August 21, 2006, and is scheduled to return to the office on September 5, 2006. The defendant believes that the requested extension is reasonably necessary in order to allow sufficient time for a considered response to the plaintiff's motion.
5. The requested extension is not being requested for the purposes of delay, and will not interfere with the orderly administration of this case. Trial is presently scheduled to begin on November 20, 2006.
6. Counsel for the plaintiff, Jonathan Tobin, has expressly given his assent to this requested extension.

WHEREFORE, the defendant respectfully requests that this Court extend the deadline for the above-described submission up to and including September 21, 2006.

ELECTROLUX PROFESSIONAL OUTDOOR
PRODUCTS, INC.,
By its Attorney,

/s/ David A. Barry

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/s/ Suleyken D. Walker

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ASSENTED TO:

The Plaintiff,
By his Attorneys,

/s/ Jonathan E. Tobin

Thomas Drechsler, B.B.O. #134840
James E. Byrne, B.B.O. #068560
Jonathan E. Tobin, B.B.O.#641509
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617-265-3900

DATED: August 25, 2006

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that counsel for the parties have conferred in an attempt to resolve or narrow the issues presented by this motion. Counsel for the plaintiff, Jonathan Tobin, has assented to the motion.

/s/ Suleyken D. Walker

Suleyken D. Walker

CERTIFICATE OF SERVICE

I, Suleyken D. Walker, hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 25, 2006.

/s/ Suleyken D. Walker

Suleyken D. Walker

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